

United States District Multi-District Litigation  
Northern District of West Virginia

**FILED**

MAR 04 2016 DB

U.S. DISTRICT COURT  
MIDDLE DISTRICT OF TN.

) Craig Cunningham  
) Plaintiff, Pro-se  
)  
) v. Civ Action 3:15-cv-00847  
)  
) Enagic USA, Inc, et al  
) Defendants.

**Plaintiff's Motion for Leave to Amend his Complaint**

1. To the Honorable US District Court:
2. The Plaintiff requests the court grant leave to amend his complaint. Although the Plaintiff could have claimed when he amend
3. The Plaintiff continues to gather new information on the defendants in this case and additional related parties that are liable for placing calls and text messages to the Plaintiff.
4. The Plaintiff for example, didn't know that Defendant Brian Kaplan was using "Kappy Enterprises, LLC" as an entity to receive funds in this case. Kappy Enterprises is a liable party regarding the previous calls from Brian Kaplan.
5. Additionally, many of the Defendants have moved on to new schemes to bilk consumers out of money as they seem to jump between programs every 6-9 months or so. The new scheme is called Elite Marketing Association (EMA), but is a clone of the Secret Success Machine scam just with some new flashy videos and websites. These are many of the same defendants, for example "Brian Kaplan, Jerry Maurer, Pete Poselli" doing the same thing they were doing with Enagic and previously the Secret Success Machine. These defendants placed calls and sent text messages to the Plaintiff pitching the EMA program after they got tired of Enagic and the Plaintiff is seeking leave to amend to include these claims.
6. The Plaintiff in his research also positively identified the ringleader and founder of the Secret Success Machine scam, Bob and Jan Shafer, who the Plaintiff is seeking to add as a defendant.
7. Through the Plaintiff's research, the Plaintiff has identified the specific entities that placed the illegal telephone calls to the Plaintiff and text messages and seeks to add them as defendants in the case.

**United States District Court  
Middle District of Tennessee**

) Craig Cunningham  
) Plaintiff, Pro-se  
)  
) v. Civ Action 3:15-cv-00847  
)  
) Enagic USA, Inc,  
) Defendants.

**ORDER**

On the foregoing motion, the Motion is hereby Granted/Denied.

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Judge

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Date

United States District Court  
Middle District of Tennessee

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) Plaintiff, Pro-se  
)  
) v. Civ Action 3:15-cv-00847  
)  
) Enagic USA, Inc.  
) Defendants.

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U.S. DISTRICT COURT  
MIDDLE DISTRICT OF TN.

**Plaintiff's Certificate of Service**

I do hereby certify that a copy of the foregoing pleading has been served on Plaintiff by U.S. Mail on 2/2/2016:

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Craig Cunningham, Plaintiff, Pro-se 615-348-1977

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